

BOARD OF COAL MINING EXAMINERS

SUMMARY OF MEETING

NOVEMBER 3, 2009

The following is a summary of the November 3, 2009 Meeting:

- I. Meeting called to order at 9:00 AM by Frank Linkous, Chairman. Members present were Gerald Kendrick, Joseph Buchanan and Ricky O'Quinn. Arvil McConnell, Jr. was absent. Also present were Butch Lambert, Department of Mines, Minerals and Energy (DMME) Deputy Director, Mary Gibson, Regulatory Boards Administrator and Sharon Pigeon, Senior Assistant Attorney General.**
- II. Opening statement delivered by Frank Linkous, Chairman.**
- III. Motions made and seconded to accept November 3, 2009, meeting agenda and approve October 6, 2009, meeting summary. All members were in favor to approve.**
- IV. Review of Virginia Substance Abuse Cases (Closed Session)**

Of the cases that resulted in hearings, evidence was taken by the Board in closed session, pursuant to Virginia Code §§ 2.2-3711(A)(4) and 45.1-11.35(E). In the closed session, the Board worked out agreements, allowing individuals to return to work conditionally, and took other disciplinary actions including revocation of all certifications held by miners.

V. Open Agenda

Handouts to the Board included the recent memorandum to operators from Frank Linkous stating DMME and the Board's recommendation that a positive result from any field "quick-test" screening be verified by a certified laboratory analysis of a split of the sample taken or by a separate urine sample taken promptly following a positive "quick-test" result.

Mary Gibson provided a handout of information from a recent meeting on substance abuse conducted by Mary G. McMasters, MD.

VI. Next Meeting

Next meeting will be December 1, 2009.

VII. Adjournment

Meeting adjourned at 12:05 PM.